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| FACSIMILE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |           |                                                                                    | Total Pages (includi | ng cover): 2   |  |
| HOUSTON LONDON LOS ANGELES NEW YORK NORTHERN VIRGINIA ORANGE COUNTY SACRAMENTO SAN DIEGO SAN DIEGO SAN DIEGO-NORTH COUNTY SAN FRANCISCO SHANGHAI SILICON VALLEY TOKYO WASHINGTON DC                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Date:     | January 12, 2009                                                                   | Must Be Sent By:     |                |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | То:       | USPTO Central Fax                                                                  | Fax No:              | 571.273.8300   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Company:  | USPTO                                                                              | Phone No:            |                |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | To:       | BPAI Hearings                                                                      | Fax No:              | 571.273.0299   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Company:  | USPTO                                                                              | Phone No:            |                |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | From:     | Rick A. Toering                                                                    | Phone No:            | 703.770.7620   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Email:    | rick.toering@pillsburylaw.com                                                      | Fax No:              | 703.770.7901   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | User No:  | 15751                                                                              | C/M No:              | 019287-0317293 |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments: |                                                                                    |                      |                |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           | tion Serial No. 09/578,156<br>No. 2008-4230                                        |                      | ·              |  |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           | If you have not properly received this fax, please call (703) 770-7900. Thank you. |                      |                |  |
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## UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

PILLSBURY WINTHROP SHAW PITTMAN, LLP

P.O. BOX 10500 MCLEAN, VA 22102 Appeal No:

2008-4230

Appellant:

Lundy Lewis Application No: 09/578,156

Hearing Room: B Hearing Docket: B

Hearing Date: Hearing Time: Thursday, February 12, 2009

09:00 AM

Location:

Madison Building - East Wing 600 Dulany Street, 9th Floor

Alexandria, Virginia 22313-1450

## NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquires, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

X) HEARING ATTENDANCE CONFIRMED

( ) HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Registration No.

Names of other visitors expected to accompany counsel:

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